

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

JOHNNY MILLER, :
Petitioner : CIVIL ACTION NO. 3:CV-13-1452
v. : (Judge Mannion)
JOHN E. WETZEL, et al., :
Respondents :

ORDER

For the reasons set forth in the Memorandum of this date, **IT IS
HEREBY ORDERED THAT:**

1. The petition for writ of habeas corpus, (Doc. No. [1](#)) is **DISMISSED**, without prejudice.
2. The Clerk of Court shall **CLOSE** this case.
3. There is no probable cause to issue a certificate of appealability.¹

s/ Malachy E. Mannion
~~MALACHY E. MANNION~~
United States District Judge

Dated: June 7, 2013

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¹Jurists of reason would not debate the procedural or substantive disposition of the Petitioner's claims. See [Slack v. McDaniel, 529 U.S. 473, 484 \(2000\)](#). Therefore, no certificate of appealability will be granted. See [id.](#)